

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**GULF COAST COMMUNITY  
HOSPITAL, INC.**

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**PLAINTIFF**

**v.**

**CAUSE NO. 1:04CV881**

**EVERETT J. KENNEDY**

**DEFENDANT**

**JUDGMENT BY DEFAULT PURSUANT TO FED. R. CIV. P. 37(b)(2)(C)**

This cause came before the Court for consideration of the Plaintiff's Motion for Sanctions pursuant to Fed. R. Civ. P. 37(b)(2)(C), the issues having been duly heard and considered and a decision having been duly rendered in the Court's Order Adopting Findings of Fact and Recommendation,

**IT IS ORDERED AND ADJUDGED** that Plaintiff's Motion for Sanctions [27] is hereby **GRANTED**.

**IT IS FURTHER ORDERED AND ADJUDGED** that Default Judgment is hereby entered against Defendant Everett J. Kennedy pursuant to FED. R. CIV. P. 37(b)(2)(C)

**IT IS FURTHER ORDERED AND ADJUDGED** that the Plaintiff shall recover of the Defendant the total sum of \$689,532.19 as liquidated damages, with interest thereon at the rate of 4.77 percent as provided by law.

**SO ORDERED AND ADJUDGED** this the 17<sup>th</sup> day of March, 2006.

*s/ Louis Guirola, Jr.*  
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LOUIS GUIROLA, JR.  
UNITED STATES DISTRICT JUDGE